

ORIGINAL



MEMORANDUM

2002 JUL 16 P 4: 39

TO: Docket Control

FROM: Ernest *EJ* Johnson
Director
Utilities Division

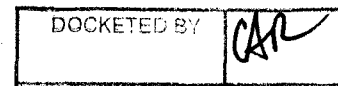
AZ CORP COMMISSION
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Arizona Corporation Commission
DOCKETED

THRU: Matt Rowell
Chief
Telecommunications and Energy

MR

JUL 16 2002



DATE: July 16, 2002

RE: DYNEGY ENERGY SERVICES, INC. APPLICATION FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE COMPETITIVE RETAIL ELECTRIC SERVICES AS AN ELECTRIC SERVICE PROVIDER PURSUANT TO A.A.C. R-14-2-1601 ET SEQ. (DOCKET NO. E-04072A-01-0988)

ILLINOVA ENERGY PARTNERS, INC. APPLICATION FOR CANCELLATION OF ITS CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE COMPETITIVE RETAIL ELECTRIC SERVICES AS AN ELECTRIC SERVICE PROVIDER PURSUANT TO A.A.C. R-14-2-1601 ET SEQ. (DOCKET NO. E-03662A-02-0319)

On December 18, 2001, in Docket No. E-04072A-01-0988, Dynegy Energy Services, Inc. ("Dynegy") filed an application for a Certificate of Convenience and Necessity ("CC&N") to provide competitive retail electric services.

On April 26, 2002, in Docket No. E-03662A-02-0319, Dynegy filed an application to cancel the CC&N of Illinova Energy Partners, Inc. ("IEP"). In its application, Dynegy indicated that it had merged with IEP and that IEP is no longer doing business. In addition, Dynegy indicated that IEP did not serve customers in Arizona.

On May 6, 2002, by Procedural Order, the above-referenced matters were consolidated and a hearing was set for July 11, 2002. On July 9, 2002, by Procedural Order, the hearing in these matters was continued with a new hearing date to be set by a subsequent procedural order following the filing of a revised Staff report.

On July 10, 2002, Dynegy requested that its application for a CC&N be withdrawn. Therefore, Staff recommends that Dynegy's application for a CC&N in Docket No. E-04072A-01-0988 be withdrawn and that the docket be administratively closed. Staff further recommends

that the CC&N issued to IEP in Decision No. 61707 be cancelled since IEP is no longer doing business and does not intend to serve Arizona customers.

EGJ:EAA

Service List for: Dynegy Energy Services, Inc. and Illinova Energy Partners, Inc.
Docket Nos. E-04072A-01-0988 and E-03662A-02-0319

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2002 JUL 10 A 11:35

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DYNERGY

July 9, 2002

VIA OVERNIGHT MAIL

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1200 West Washington Street
Phoenix, AZ 85007

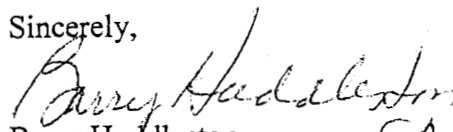
Re: Dynergy Energy Services, Inc, Docket no. E-04072A-01-0988

Dear Sir or Madam;

Dynergy Energy Services, Inc., through this correspondence, hereby requests withdrawal of its application in the above-referenced proceeding.

If you have any question regarding this matter please call me at 713-507-6786.

Sincerely,


Barry Huddleston
Sr. Director, Market Structure